



Exhibit C

This correspondence is being sent via express mail
no. EL576314816US in an envelope addressed to the
Assistant Commissioner of Patents, Washington, D.C.
20231, or March 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Frank Collart <i>et al.</i>)	
)	
Serial No.:	09/533,466)	Examiner: N. Ogihara
)	
Attorney Docket No.	21416/90042)	
)	Art Unit: 1631
Filing Date:	March 23, 2000)	
)	
Title:	USE OF THE CRYSTAL STRUCTURE)	
	OF BACTERIAL IMP DEHYDROGENASE TO)	
	DESIGN INHIBITORS OF BACTERIAL)	
	GROWTH)	

DECLARATION OF DR. FRANK COLLART UNDER 37 C.F.R. § 1.131

Dear Sir:

This declaration is to establish that Zhang *et al.*, a publication cited by the examiner in an Office Action mailed October 20, 2000, was the prior work of the inventors of the present application.

FACTS & DOCUMENTARY EVIDENCE

1. I, Frank Collart, am an inventor of the patent application captioned above. My co-inventors are Eliezer Huberman, Andrzej Joachimiak, Rongguang Zhang and Edwin M. Westbrook
2. I have read the specification and pending claims.
3. I have read the Office Action in which the examiner rejected claims 1-8 because the publication Zhang *et al.* (April 13, 1999) was said to teach all the elements of claims 1-8.
4. This is to testify that Zhang *et al.* is the work of the inventors of the present application.
5. Authors listed in Zhang *et al.* who did not qualify as inventors are Gwendolyn Evans, Frank Rotella, and Don Beno. There were not inventors because they

were (a) a student (Don Beno) directed by Dr. Collart; and (b) Structural Biology Center Staff (Gwendolyn Evans and Frank Rotella) who assisted the inventors in data collection but not the conception or reduction to practice of the invention.

6. The PDB deposition contains the molecular coordinates that specify the invention. The coordinates were deposited in the Protein Data Bank (PDB) database prior to the issuance of the Zhang publication. PDB is a publicly accessible (www.rcsb.org/pdb/) database specifically created for deposition of molecular structural information. After several rounds of error checking the coordinates were deposited on 29-Mar-1999 but were not publicly available until 29-Mar-2000, well after submission of the present application.

DECLARATION

As an inventor signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the likes so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

SIGNATURE(S)

Full Name of first inventor:	<u>Frank Collart</u>
Signature:	<u><i>Frank Collart</i></u>
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